



COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, MAY 13, 2003

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

OLD BUSINESS:

1. **ZONING AMENDMENT, ZA-02-15: E. DUNNE-HO:** A request for approval of precise development plan and development guidelines for a 18,450 sq. ft. retail office facility to be located on a 2.35 acre area located on the north west corner of the intersection of E. Dunne Ave. and Murphy Ave. in the PUD zoning district. The proposed precise development plan and development guidelines would also apply to the developed 1.53-acre area to the west. (APN's 728-17-016, 017 & 023)

Recommendation: Approve Mitigated Negative Declaration/Adopt Resolution No. 03-21, with recommendation to forward request to the City Council for approval.

NEW BUSINESS:

2. **USE PERMIT AMENDMENT, UPA-91-02: TENNANT-STUCKEY/KING'S MARTIAL ARTS:** A request for approval to amend a use permit to allow the expansion of a martial arts studio/drop in recreational program an additional 1800 sq. ft. in an existing 20,333 sq. ft. building in the Light Industrial zoning district. The site is a 1.35 acre site located at 380 Tennant Ave. (APN 817-06-019)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-30, approving request.

3. **ZONING AMENDMENT, ZAA-98-16: CONDIT-HORIZON LAND:** A request for approval to amend the Horizon Land Planned Unit Development (PUD) and precise development plan to allow for the construction of a 30,027-sf Ford Dealership on an approximate six acre site. The Horizon Land PUD is located between Condit Rd and Hwy 101, north of E. Dunne Avenue. (APN 728-17-019)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-31, approving request.

PLANNING COMMISSION MEETING AGENDA

MAY 13, 2003

PAGE 3

OTHER BUSINESS:

4. **FINDING OF GENERAL PLAN CONSISTENCY FOR DRAFT FY 03/04 – 07/08 CAPITAL IMPROVEMENTS PROGRAM (CIP):** Commission requested to review the draft Five-Year Capital Improvement Program (CIP) for consistency with the Adopted 2001 General Plan.

Recommendation: Adopt Resolution No. 03-29.

TENTATIVE UPCOMING AGENDA ITEM FOR THE MAY 27, 2003 MEETING:

- **UP-03-05: Joleen-Drywall/Lathing Apprenticeship**
- **DA-03-02: McLaughlin-Jones**
- **DAA-00-08: Berkshire-Singh**
- **DAA-01-07: Cochrane-Mission View**
- **DAA-02-01: Church-South County Housing**
- **ANX-03-01: Hill-Gera**
- **Final Award and Distribution of the Measure P Building Allocations for FY 2004-05 Open Market Competition**
- **Street Standards**

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

PLANNING COMMISSION AGENDA

MAY 13, 2003

PAGE 4

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

R:\PLANNING\WP51\AGENDAS\PCAGENDA\2003\May\PC051303_Agenda.doc